

REMARKS/ARGUMENTS

This amendment is in response to the Office Action dated March 31, 2003.

I. Introduction

Claims 1, 12, 22, 33, 42 and 49 have been canceled. Claims 27-32, 38-41, and 48 have been amended. Accordingly, claims 1-21, 23-26, 33-37, 42-47 and 49 are now pending. The Examiner objected to the Specification.

With regard to the claims the Examiner rejected all of the original pending claims in view of various applied references for the reasons set forth in the Office Action. References used to reject various claims include: U.S. Patent No. 6,144,400 to Ebisawa, U.S. Patent No 5,724,646 to Ganek et al., U.S. Patent No. 5,046,090 to Walker et al., U.S. Patent No. 6,502,139 to Birk et al. In each of the prior art rejections, the Ebisawa patent serves as the principle reference.

As will be discussed below, in view of the above amendments and following remarks each of the objections and rejections have been overcome.

II. Objections to the Specification

In the Office Action the Examiner objected to text on Page 20 of the specification because of a typographical error. In addition the Examiner indicated that Figures 7 and 8 were not described in the specification. **Page 20 has been amended to correct the**

typographical error. The application already includes several pages of description relating to Figs. 7 and 8. In particular, a discussion of Figs. 7 and 8 can already be found on specification pages 35-39. Accordingly, the Objections to the Specification have been overcome.

III. The Pending Claims are Patentable

1) The Ebisawa Patent

In contrast to the present invention, in the Ebisawa patent, complete programs are not transmitted on a single communications channel and no distinction is made with regard to the transmission of regional vs non-regional information.

The Ebisawa patent describes a near video on demand (NVOD) system wherein programs are separated into multiple parts corresponding to different time periods. A full copy of the program is not transmitted on any single channel. Rather, portions of programs corresponding to the start of each program, e.g., the first ten minutes, is transmitted on one channel while multiple time staggered copies of the remaining portion of the program is transmitted on multiple channels. The channel used to transmit the first portion of the program may be used to transmit first portions of multiple programs. A receiver records the first portion of each program which it obtains from a channel used to transmit first program portions. During playback the receiver uses the stored first portion of a program which it obtained from the channel used to transmit first portions

of programs and then obtains the remainder of the program to be displayed from one of the channels used to transmit the remaining portion of the program being displayed.

2. The Present Invention

In contrast to the system described in the Ebisawa patent, in various embodiments of the present invention, full copies of programs are transmitted in a time staggered manner on multiple channels. Thus, a receiver need not obtain a first portion of a program from a different channel from which the remaining portion of a program is recovered. From a system perspective, this simplifies the issue of broadcasting since programs are transmitted in their entirety on a channel and a broadcaster need not divide a program, such as a movie, and then transmit different portions on different channels. Thus, it is possible to lease out one or more, e.g., a set of channels, without having to coordinate how changes relating to programs on those channels will affect the data transmitted on some other channel, e.g., the channel used to transmit first portions of programs in the Ebisawa patent.

Various features of the present invention are also directed to transmitting local and regional segments of a program on different channels and then combining those segments, e.g., in a selective fashion, to present a user with a program that includes both regional and non-regional content. The methods of the invention relating to the transmission of regional and non-regional

information are particularly well suited for providing customized content to individual users based on geographic region. This is particularly useful in systems where transmissions reach multiple regions, such as the case of satellite transmissions. The applied prior art references do not teach, disclose or suggest such a transmission and display method. Furthermore, the fact that local news may have, in the past, been transmitted in regard to conventional TV shows following broadcasting of a regional news segment, e.g., on the same channel, does not in any way anticipate or render obvious the pending claims.

3. The Pending Claims are Patentable

A. Claims 1-11 are patentable

As discussed above, the principal reference used to reject the claims, the Ebisawa patent, teaches away from transmitting a complete copy of a program on a communications channel. In particular, the Ebisawa patent describes transmitting first portions of programs on different channels from which the remaining portions of the program are transmitted. Accordingly, even if combined with the other references cited by the Examiner, one would not arrive at the subject matter of representative claim 1 which recites:

A method of providing a program L time units in length to a user, comprising the steps of:

transmitting said program L time units in length on a first channel;

storing a first segment of
said program **received from said first
channel;**

beginning the presentation of
the stored first segment of said
program to the user;

receiving a second segment of
said program at least L time units
after beginning to store the first
segment of said program; and

presenting to the user the second
segment of said program when the
presentation of the first segment of said
program is completed.

Claims 2-11 depend from claim 1 and are patentable
for the same of similar reasons that claim 1 is
patentable.

B. Claims 12-21, 23-26, 33-37, 42-47 and 49 are
Patentable

As discussed above, the applied references do
not teach, disclose or suggest transmitting regional and
non-regional segments of a program on different channels
and then presenting regional and non-regional segments
corresponding to the same program, e.g., as part of a
process of displaying the program to a viewer.

Furthermore, the Examiner has failed to cite any prior
art which renders such transmission and presentation
obvious.

Accordingly, claim 12 is
patentable because it recites:

A method of providing a program to a user, comprising the steps of:

receiving on a *first* communications channel used to transmit regional information, a first program segment;

storing the first segment of said program in a storage device;

receiving a second program segment on a *second* communications channel used to transmit non-regional information, the first and second program segments corresponding to the same program; and

presenting to the user the second segment of said program immediately following the presentation of the first segment of said program.

Claims 12-21, 23-26, 33-37, 42-47 and 49 are patentable for the same or similar reasons that claim 12 is patentable.

IV. Request for Clarification

As the Examiner can hopefully appreciate Applicants have made an effort to address and distinguish the prior art applied by the Examiner.

With regard to the remaining pending claims, to the extent that the Examiner has taken "Official Notice" that various claim elements are well known, Applicants respectfully disagree. Should the Examiner persist in rejecting any of the remaining pending claims it is respectfully requested that the Examiner cite references which disclose the various recited elements of the claims or submit an affidavit setting forth the personal

knowledge upon which the rejection is based. Such information is needed so that Applicants can fully and fairly respond to any new or repeated rejections.

V. Conclusion

The objections to the specification and pending claims has been overcome. Accordingly, the application is now in condition for allowance. If, after consideration of this amendment, any issues remain outstanding which need to be resolved to placed the application in condition for allowance the Examiner is invited to contact Applicant's undersigned representative and discuss said issues over the telephone.

Respectfully submitted,

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **June 30, 2003** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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